

public housing residents. He has also authored language which would require a commitment from banks to make loans and services available in poor neighborhoods and underserved banking markets. He is a thoughtful and skilled lawmaker who has earned the respect and admiration of his colleagues.

Mr. Speaker, I take special pride in saluting KWEISI MFUME today. In closing, I am reminded of how, a few years ago, shortly after he came to the Hill, that I invited KWEISI to a meeting with some of my constituents from Cleveland. In his speech to the group, he brought the house down by relating a story of how, as a high school student, he had been assigned the task of writing a research paper on me. We still, from time to time, get a laugh out of that story.

Mr. Speaker, KWEISI MFUME will be missed on Capitol Hill. Our loss is certainly the NAACP's gain. We salute KWEISI and look forward to working closely with him in the days ahead.

Mr. MARTINEZ. Mr. Speaker, I rise today to join my colleagues in paying tribute to Congressman KWEISI MFUME, a remarkable man from Maryland who has served his constituents and all Americans with exceptional integrity and distinction. KWEISI MFUME is leaving the House to accept a new and exciting challenge as president and chief executive officer of the NAACP. This historic civil rights organization is indeed fortunate to have such a skilled and highly respected man at its helm.

During his tenure in the U.S. House of Representatives, Congressman MFUME has emerged as a national leader and champion for the most vulnerable Americans. He has consistently been a voice of reason in Congress, never shying from the good fight. KWEISI's eloquence and advocacy for progressive cause have affected the lives of millions of Americans for the better.

So tonight, Mr. Speaker, I salute KWEISI MFUME, conqueror of kings, and wish him nothing but success in all his future endeavors.

Mr. DIXON. Mr. Speaker, I rise to join my colleagues today to recognize the very significant contributions that the gentleman from Maryland has made during his 9 years in the House of Representatives and to wish him great success as he begins a new and very important endeavor.

We know that Congressman MFUME's constituents in the Seventh Congressional District, who have consistently reelected him with over 80 percent of the vote, will miss his representation in the House. We also know that millions of Americans outside the seventh district, who have relied on him to give voice to their needs and aspirations, will sorely miss that voice coming from the Congress of the United States.

Throughout his tenure in the House, Representative MFUME has been a champion for the rights of those denied opportunity in this Nation, and particularly for the expansion of economic opportunity for those denied. He has been one of our most eloquent spokesmen for the need for economic empowerment in the Nation's urban and minority communities, focusing his legislative efforts on minority business development.

During his 2 years as chairman of the Congressional Black Caucus [CBC], Congressman MFUME energized the caucus and focused our message, culminating in major legislative

achievements in the 104th Congress. Included in those achievements were expansion of the earned-income tax credit for working families, and creation of enterprise zones to spur economic development in inner-cities. As a member of the House Banking Committee he has been an advocate for the needs of low-income housing residents and for greater responsibility on the part of financial institutions to offer services in their communities.

Representative MFUME has been an articulate, forceful, and passionate presence in the House of Representatives. All Americans will benefit as he brings these qualities to his new role as chief executive officer of the NAACP.

Congressman MFUME is uniquely suited to the task of reviving membership and reenergizing the NAACP—particularly among the Nation's African-American youth. The challenges he overcame in his own youth and the accomplishments he has achieved during a distinguished career in Congress bode well for his efforts to recruit a new generation of leaders to the cause of ensuring that all Americans share in the prosperity of this Nation.

I join my colleagues in thanking Representative MFUME for his service to the country as a Member of the House of Representatives and wish him much success as he meets his new challenge at the helm of the NAACP.

Mr. FROST. Mr. Speaker, I would like to take this opportunity to honor Representative KWEISI MFUME, former chairman of the Congressional Black Caucus, on the occasion of his leaving the House in order to head the NAACP.

During his tenure in Congress, KWEISI MFUME, who has represented Maryland's Seventh Congressional District since 1986, has displayed a strong commitment to public service and a stellar record of legislative accomplishment.

Through serving on the Banking and Financial Services Committee, Representative MFUME has been able to focus congressional attention on a variety of issues, including minority businesses, health care, and civil rights legislation.

He authored the minority contracting and employment amendments to the Financial Institutions Reform and Recovery Act, strengthened the Equal Credit Opportunity Act, and amended the Community Reinvestment Act to strengthen the protection of minority financial institutions.

It has been an honor and a privilege to serve in the House with Representative MFUME. Clearly, his hard work and dedication to public service have improved the lives of all Americans.

GENERAL LEAVE

Mr. CARDIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of this special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

□ 1700

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2546, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1996

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 104-456) on the resolution (H. Res. 351) waiving points of order against the conference report to accompany the bill (H.R. 2546) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION AUTHORIZING SPEAKER TO DECLARE RECESSES SUBJECT TO THE CALL OF THE CHAIR

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 104-457) on the resolution (H. Res. 352) authorizing the Speaker to declare recesses subject to the call of the Chair from February 2, 1996, through February 26, 1996, which was referred to the House Calendar and ordered to be printed.

PRIVILEGES OF THE HOUSE—WITHDRAWAL OF INVITATION TO FRENCH PRESIDENT JACQUES CHIRAC AND NOT AGREEING TO FUTURE APPEARANCES TO ADDRESS JOINT MEETINGS OF CONGRESS BY HEADS OF STATE OF NATIONS CONDUCTING NUCLEAR TESTS

Mrs. MINK of Hawaii. Mr. Speaker, I rise to a question of the privileges of the House and offer a privileged resolution that I noticed pursuant to rule IX yesterday, and ask for its immediate consideration.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 350

Whereas virtually every nation in the world has adhered to a moratorium on nuclear tests since September 1992;

Whereas, on June 13, 1995, President Jacques Chirac of France ended his nation's adherence to the moratorium by ordering a series of nuclear tests in the South Pacific;

Whereas France has since conducted six nuclear tests on the Pacific atolls of Moruroa and Fangataufa in French Polynesia;

Whereas France has acknowledged that radioactive materials from some of the tests have leaked into the ocean;

Whereas, as a result of the tests, the people of the Pacific are extremely concerned about the health and safety of those who live near the test sites, as well as the adverse environmental effects of the tests on the region;

Whereas, in conducting the tests, France has callously ignored world-wide protests and global concern;

Whereas the United States is one of 167 nations that have objected to the tests;

Whereas the tests are inconsistent with the "Principles and Objectives for Disarmament", as adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on Non-Proliferation of Nuclear Weapons;

Whereas, in proceeding with the tests, France has acted contrary to the commitment of the international community to the non-proliferation of nuclear weapons and the moratorium on nuclear testing;

Whereas the President of France, Jacques Chirac, is scheduled to appear before a joint meeting of the Congress on February 1, 1996; and

Whereas, in light of the tests, the appearance of the President of France before the Congress violates the dignity and integrity of the proceedings of the House: Now, therefore, be it

Resolved, That, by reason of the recent nuclear tests conducted by France in the South Pacific, the Speaker of the House shall take such action as may be necessary to withdraw the invitation to the President of France, Jacques Chirac, to address a joint meeting of the Congress, as scheduled to occur on February 1, 1996.

SEC. 2. On and after the date on which this resolution is agreed to, the Speaker of the House may not agree to the appearance before a joint meeting of the Congress by any head of state or head of government whose nation conducts nuclear tests.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Does the gentlewoman request time to discuss the question of privilege?

Mrs. MINK of Hawaii. Yes, I do, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from Hawaii is recognized on the question of whether the resolution constitutes a question of privilege.

Mrs. MINK of Hawaii. Mr. Speaker, I offer this question of the privileges of the House because I believe that the invitation to President Jacques Chirac to address the joint session of the Congress on February 1, 1996 violates the integrity of the House.

Despite world wide objection to the resumption of nuclear tests, President Chirac proceeded with callous disregard to the concerns and consequences of his actions.

The House of Representatives Chambers must be reserved to those individuals whose actions and political courage bring dignity to this institutional. Invitations to address joint sessions are reserved to those persons who have demonstrated their leadership and character as deserving of honor and reverence.

I believe that many Members of Congress are as offended as I am by the idea of President Chirac coming to this Chamber to address this Nation. After refusing to listen to the pleas of hundreds of nations, and in particular the people of the Pacific rim, why should the Congress afford him a podium from which to advance his unwelcome views?

This offense is not just against the people of French Polynesia. It is an offense against all the people of the world who believed that there would be an end to the nuclear arms race. For France to resume nuclear tests in the

Pacific after previously announcing an end to these tests, is a moral travesty that shakes the very foundation of world governments.

For France to argue that they needed to do these tests to ensure the reliability of their nuclear arsenal is to state that the French Government has repudiated the basis of the Test Ban Treaty which is that nuclear war is impossible and that no government should be planning for such an inevitability.

If those nations who possess the nuclear bomb are allowed with opprobrium to re-test their arsenal, then the appeal to others not to seek nuclear capability is an empty gesture at best. At a critical time when we want to curb the nuclear adventures in China and other countries, how do we justify playing host to a Western Power who has already conducted 192 tests, most of them in the Pacific, 140 of them underground and yet insisted that it needed 8 more tests to prove its reliability, and to perfect its computer based simulation technology.

Sadly President Chirac's decision opens the way for other nations to squander our precious environment for their own purposes. Why is France's national security of greater importance than other nations?

The sixth and last nuclear blast that was set off by the French Government on January 27, 1996, in Fangataufa Atoll in French Polynesia had the equivalency to 120,000 tons of TNT, more than six times the Hiroshima bomb.

This defiance of international policy, and deliberate renunciation of their own government's prior announcement of a test ban moratorium must not be received by this Chamber with regular order.

On the contrary, I believe, as I have stated in this resolution that the invitation should be withdrawn on the basis that his presence in this Chamber would constitute approval of his conduct in this regard.

Other than this resolution we had no opportunity to express our disapproval of this invitation. I urge this House to approve this resolution and serve notice to the world of our solemn adherence to a nuclear free world.

The SPEAKER pro tempore. Does any other Member wish to be heard on this?

Mr. LEWIS of Georgia. Mr. Speaker, I wish to be heard on the privileged resolution.

The SPEAKER pro tempore. The gentleman from Georgia is recognized on the question of privilege.

Mr. LEWIS of Georgia. Mr. Speaker, I want to join with my colleagues to strongly protest France's actions in the South Pacific. I am pleased that France has stopped testing its nuclear weapons. But I must say—it is too late. The damage has been done.

France ignored the pleas of the governments and people of the South Pacific and throughout the world. We live on this planet together. We share its

bounty. These are our oceans, our land, our people. We must respect each other.

President Chirac did not listen to the groans and moans, the hopes, the dreams and the aspirations of those who are longing for a planet free of nuclear waste, free of nuclear destruction, free of nuclear poison. This man—this President of France and his government—refused to listen to the community of nations.

And now, he wants to come to our house. To the people's house. President Chirac, our people do not support nuclear testing. Our people do not support radiation in the waters. Our people do not support a government that ignores the community of nations.

Six times, France has poisoned our earth. Six times, nuclear poison has seeped into the waters of this little planet. This poison remains with each and every one of us.

If France truly wants to atone for its wrongs, they must apologize to the people of the South Pacific. They must join with them to right the wrongs, to help heal the environment, to help heal the hurt.

As France's actions demonstrate, nuclear testing should be banned from this planet forever. We must never again engage in this desolate deed. It is time to evolve to another level, to a better world where we lay down the tools of poison and destruction and respect the community of nations.

Nuclear testing is obsolete. Nuclear testing is evil. To paraphrase the words of Mahatma Gandhi, "Noncooperation with evil is as much a moral obligation as cooperation with good."

So I cannot be silent. I cannot close my eyes to France's deeds.

I know France is our ally, but even with our good friends, we must have the courage to say that a wrong is wrong. We must have the courage to do what is right. I don't know about any other Member, but for me and my house, I will not be seated here tomorrow when Mr. Chirac comes to this House.

The SPEAKER pro tempore. Are there other Members that wish to be heard?

Before recognizing the gentlewoman from Texas [Ms. JACKSON-LEE], the Chair would remind Members if they speak on this to confine their remarks to the issue of the question of privilege under rule IX rather than on the pros and cons of the policy they are speaking about, but confine your remarks simply to the question of privilege.

The Chair recognizes the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to speak on the privileged resolution of the gentlewoman from Hawaii.

Mr. Speaker, I think that rule IX in particular speaks to the integrity and collective impact on this body.

Mr. Speaker, I respect the people of France as I do all of our world citizens, and I also know that there is some good to nuclear testing.

I think, Mr. Speaker, that we recognize that over the past decade, the international community has agreed that nuclear-weapon testing is a practice that must be ceased for the good of both humanity and Mother Earth. As evidence, the nations of the world are currently in Geneva negotiating the Comprehensive Test Ban Treaty. Additionally as early as 1985, the countries of the South Pacific Forum negotiated and signed the Rarotonga Treaty establishing the South Pacific Free Zone.

Mr. Speaker, this body has invited many individuals to be at the helm and provide insight and information to this august body, this Nation, and, of course, the American people. It is a responsibility of this body to ensure that factual information is exuded from this body. And I believe that in allowing this leader to come, it goes against the factual basis of this country's standing on nuclear testing.

In spite of this international effort to end nuclear testing on our planet, the French Government, of which this leader will represent, chose to ignore the interests and the pleas of many Pacific nations and conduct its six full-scale detonations of its TN75.

Mr. Speaker, in light of this singularly egotistical decision, I believe that it is inappropriate for this body to invite President Chirac to speak before it. It is a question of presenting of the facts to the American people. His presence here only serves to defend, however subtly, these deplorable tests. I believe that although this Government did not vigorously speak out against these tests, we can now help to correct that error by giving symbolic support to our Pacific allies. Why should we be party to repairing the credibility of President Chirac when he has marginalized both the Pacific neighbors to these tests and the international community?

Mr. Speaker, I think it is important that we in this body have the responsibility to uphold the laws of this land, the policies of this land, and the policies of this land have been to date that we have not supported nuclear proliferation or the testing of nuclear weapons.

□ 1715

For this body's integrity to stand as under rule IX and privileged resolutions, I would say to you that we have the responsibility to disinvite this President, for this impacts the collective integrity of this body.

It should be noted also, Mr. Speaker, that although President Chirac has decided to stop the nuclear tests, it was hardly due to respect for any nation other than his own. Before the tests even began, he stated France, and France only, would, indeed, conduct six to eight tests, and the gentleman has been good to his word.

Mr. Speaker, this is an honorable institution and under rule IX I think it is our responsibility again to preserve its integrity. I would ask that the privi-

leged resolution be considered and, of course, accepted by this body, and that we uninvite President Chirac in order to maintain the collective responsibility of the United States House of Representatives.

Mr. Speaker, I respect the people of France as I do all of our world citizens. I also know there is some good in nuclear technology. Mr. Speaker, over the past decade, the international community has agreed that nuclear-weapon testing is a practice that must be ceased, for the good of both humanity and Mother Earth. As evidence, the nations of the world are currently in Geneva negotiating the Comprehensive Test Ban Treaty. Additionally, as early as 1985, the countries of the South Pacific Forum negotiated and signed the Rarotonga Treaty, establishing the South Pacific Free Zone.

Yet, in spite of this international effort to end nuclear testing on our planet, the French Government chose to ignore the interests and pleas of many Pacific nations and conducted six full-scale detonations of its TN75 warheads.

Mr. Speaker, in light of this singularly egotistical decision, I believe that it is inappropriate for this body to invite President Chirac to speak before it. His presence here only serves to defend, however, subtly, these deplorable tests. I believe that although this Government did not vigorously speak out against these tests, we can now help to correct that error by giving symbolic support to our Pacific allies. Why should we be party to repairing the credibility of President Chirac when he has marginalized both the Pacific neighbors to his tests, and the international community.

It should be noted that although President Chirac has decided to stop the nuclear tests, it was hardly due to his respect for any nation other than his own. Before the tests even began, he stated that France would indeed conduct six to eight tests, and the gentleman has been good to his word.

Mr. Speaker, this is an honorable institution, let us preserve its integrity.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Do other Members wish to be heard?

Mr. FALEOMAVAEGA. Mr. Speaker, I would like to address the issue, the privileged resolution, before the body.

The SPEAKER pro tempore. The gentleman from American Samoa is recognized.

Mr. FALEOMAVAEGA. Mr. Speaker, as I have spoken earlier concerning the issue now before this body, the question of privilege, in terms of the tradition of the House and whether or not the President of France should be honored or be given the privilege of addressing a joint session of Congress tomorrow, as I speak, Mr. Speaker, as it is true with almost every young American learning about civics, the history of our Nation itself, how it was conceived, the fact that this Nation itself has a tradition of being a former colony of the British Empire, the fact that there are some very fundamental traditions that I think I can say without equivocation about what America stands for, the principles of democracy and human rights and all due respect for other human beings to live in their

respective areas or regions, as I speak before my colleagues in this body, I notice there are only two murals or two picture frames that are part of the decor of our Chamber, and that of the great President, our first President of the United States, George Washington, and I see on the other corner of this Chamber a great leader, a great French patriot by the name of Marquis de Lafayette, a great patriot who supported wholeheartedly the cause of the American colony for its interests in wanting very much to be free from the shackles of British colonialism, and the fact that representation without taxation, as a principle, simply was not in order, and the fact that our country was conceived in blood, and we fought for those freedoms against British colonialism.

So I think in the spirit of tradition and what we talk about the great Lafayette that came and helped us tells us something about what it means to be a free human being, what it means to go against colonialism, what it means to believe in the principles of democracy, human rights, and the right of human beings to live. I think this is the core of the issue that is now before us, and the privileged resolution expressing this sense, strong sense, among the Members of this Chamber that the Speaker ought not extend an invitation to the President of France to address us at a joint session tomorrow.

I support wholeheartedly the provisions of this resolution, and I ask my colleagues in this Chamber to help us by making this point. The point is that this man really did not have to permit six nuclear explosions, to do this nuclear testing, despite the fact of protestations of some 167 nations, 28 million people who live in the Pacific region, 200,000 of their own citizens in French Polynesia who also opposed the testing, and ironically of all, Mr. Speaker, 60 percent of the French people themselves did not want President Chirac to conduct this nuclear testing. It is an abomination. It is an outrage.

Mr. Speaker, I ask my colleagues, do not support the Speaker's invitation by allowing this man to address the Chamber tomorrow.

The SPEAKER pro tempore. Do further Members wish to address the question of privilege?

Mr. UNDERWOOD. Yes, I wish to address the privileged resolution.

The SPEAKER pro tempore. The gentleman from Guam is recognized.

Mr. UNDERWOOD. Mr. Speaker, as an American citizen and as a Pacific Islander, I must rise today in strong support of the privileged resolution offered by the gentlewoman from Hawaii [Mrs. MINK].

This resolution speaks to the issue of this body's integrity because of President Chirac's behavior, and in order to argue that President Chirac should, in fact, should be disinvited, we must analyze President Chirac's duplicitous and cynical behavior in the conduct of nuclear testing in the South Pacific.

A speech before a joint session of Congress is President Chirac's way of trying to win back the good graces of this body and of world opinion and to recover some very lost credibility. After he has ignored world opinion for over 4 months by proceeding with these series of tests, he does not deserve the honor of speaking before this body. Just days prior to their final nuclear test, thousands of miles from the French capital, France acknowledged radioactive waste was leaked, and in fact, frequently vented into the lagoon adjacent to the test site. Of course, this did not stop France from finishing their last test.

And now the French President wants this Congress as his audience. With the precedent of inviting someone responsible for a potentially major environmental disaster in the Pacific, you have to wonder who the congressional leadership will invite next. Can we expect to hear a joint session speech by the captain of the Exxon Valdez, the manager of Three Mile Island, or maybe we will have the opportunity to attend a joint session by the director of the Chernobyl nuclear power plant.

I ask this body, I implore this body to support the privileged resolution offered by the gentlewoman from Hawaii.

The SPEAKER pro tempore. The Chair is prepared to rule. If there are others, the Chair will hear one more Member speak on this question.

The gentlewoman from North Carolina [Mrs. CLAYTON] is recognized.

Mrs. CLAYTON. Mr. Speaker, I will be brief, and maybe you can hear both of us. I will abbreviate my remarks.

I just want to join in strong support of the privileged resolution that is offered by the gentlewoman from Hawaii [Mrs. MINK] and also to say that the dignity and integrity of who we invite, who speaks from that well says volumes about what is important to us as Americans.

Americans have gone on record of not advocating the proliferation of nuclear testing, and yet the President of France has negated that altogether, although France itself has signed that treaty.

So I implore all of my Members and colleagues that this will say volumes about our integrity when we sign a treaty that we would honor that and certainly we should not give the well to someone who violated the treaty.

The SPEAKER pro tempore. Does the gentlewoman from Illinois desire to be heard on this issue?

Mrs. COLLINS of Illinois. Yes, I do, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from Illinois is recognized.

Mrs. COLLINS of Illinois. Mr. Speaker, my concern, as was pointed out a few minutes ago, Lafayette over there was one who believed in justice and the fact that we would have a free country here or should have. I thought it was very interesting that it was the French, indeed, who sent us the Statue of Liberty, you know, the great symbol of freedom for our country.

Yet here is the President of that great country who has decided to do some nuclear testing. You know, we believe in fairness, but we believe in not having nuclear proliferation in our country, and to have that very President of that country to come before us in a joint session sends a message that we endorse what he did. We do not endorse what he did.

I think, therefore, that we should certainly follow and support the privileged resolution offered by the gentlewoman from Hawaii [Mrs. MINK]. I think it makes a great deal of sense to do so.

It seems to me we ought to disinvite the President; in fact, we urge the Speaker to disinvite, if he can, the President of France, because it is something that we do not want to be associated with.

The SPEAKER pro tempore. Do other Members wish to be heard?

The gentlewoman from Florida [Mrs. MEEK] is recognized.

Mrs. MEEK of Florida. Mr. Speaker, first of all, anyone who is within earshot of my words, we should strongly and vehemently oppose any visit by the French President Chirac.

We stand firmly to support the gentlewoman from Hawaii [Mrs. MINK] and her resolution which does not stand for anything extraordinary. It stands up for a clean environment. It stands for the health and safety of the residents of this country. It stands for honor among all the world's peoples, and to think that we are recognizing him as someone to come hear and address a joint meeting of Congress is, to me, really abominable and that we would allow that to happen. He should not be invited. We should put the strength of our voices against this by not even appearing here tomorrow and to show strength behind the resolution offered by the gentlewoman from Hawaii [Mrs. MINK].

Do not be discouraged. The way to take care of this is to boycott his visit. He will address this body. He has not thought about the human rights of this country. We have come a long way in that. He has not thought about our environmental concerns, how far we have come. We will not turn back. He has not thought about health and safety.

So he has been able to say this to the Pacific islanders, well, we will go ahead and run these tests on your shores. Think about it, it may be your shores next.

The SPEAKER pro tempore. Are there further Members who wish to be heard on the question?

The gentleman from New Jersey [Mr. PAYNE] is recognized.

Mr. PAYNE of New Jersey. Mr. Speaker, as a member of the International Relations Committee, I question the invitation to French President Jacques Chirac's address to the joint session of Congress on tomorrow.

I am strongly opposed to any nuclear tests in the South Pacific. The French have already conducted a total of 6 nuclear tests.

They have directly violated international law. The United States has ratified Conventions and Comprehensive Test Ban Treaties. Chirac's tests are contradictory to the codes outlined in the "Principles and Objectives for Disarmament."

This was adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on Non-Proliferation of Nuclear Weapons.

We are living in a post-cold-war era. The United States and its allies have made a commitment to nuclear non-proliferation. France has breached the contract by not adhering to the moratorium.

On June 13, 1995, President Jacques Chirac ordered a series of nuclear tests in the South Pacific. This has outraged members of the international community.

Chirac is endangering the land on and above the French Polynesia's coral atolls. They have conducted approximately 187 nuclear detonations since 1966.

Radioactive materials from their tests have caused environmental damage.

The coral reefs in the sea and the bordering islands have been affected by the nuclear explosions.

Nuclear proliferation will not be tolerated in this post-cold war era. Despite many critical attempts to halt nuclear testing in the Pacific Basin by 166 nations, French nuclear testing remains.

The threat of nuclear exposure is a concern not only to the people of Pacific but to all of us in the international community.

We must curb the nuclear arms race with China, Iran, North Korea, and now even France.

Mr. Speaker, if we allow Chirac to come and speak to the Members of Congress, we will be saying OK to the nuclear arms race. We should not support this measure.

The SPEAKER pro tempore. Does the gentleman from Hawaii wish to address the issue on the question of privilege?

Mr. ABERCROMBIE. Yes, Mr. Speaker, I wish to address the question of privilege under rule IX of our rules.

The SPEAKER pro tempore. The gentleman from Hawaii is recognized.

Mr. ABERCROMBIE. Mr. Speaker, I take very seriously your admonition that we must address the question of privilege, that is to say, within the privileged resolution. That is what we must address here, is this a pertinent resolution to have before this House to be decided, not the merits or demerits of the proposition which may be under question? Am I correct that that is your admonition to us, Mr. Speaker?

The SPEAKER pro tempore. The gentleman is correct.

Mr. ABERCROMBIE. I thank the Chair.

I wish to address that quite directly, Mr. Speaker, because I believe that the issue under consideration as embodied in the privileged resolution most certainly is in order to be discussed,

should we pass this privileged resolution, and the decision as to whether or not we should pass the privileged resolution and whether or not we should pass the privileged resolution and whether it is properly before us is yours to make.

I would like to argue, Mr. Speaker, as follows: That in the House rules and manual which the Parliamentarian has been kind enough to provide to me, there are numerous citations in here with respect to precedents as to the question of personal privilege, questions of privilege, in the absence of a quorum, et cetera.

□ 1730

But fundamentally and elementally what is before the Chair is as follows: The question of privilege shall be first those affecting the rights of the House collectively, its safety, dignity, integrity of its proceedings.

I do not think that is necessarily at issue here. Probably a rather abstract argument or intellectual argument could be made it is.

But I rest my case to the Chair on the second part, those affecting the rights, reputation, and conduct of Members individually in their representative capacity only.

Mr. Speaker, we have in the Pacific, aside from the representation with the capacity to vote on this floor existing in Hawaii, Members from Guam and American Samoa. In addition, we have certain jurisdiction over island groupings in the Pacific under the Department of the Interior.

Mr. Speaker, I maintain to the Chair and to the Members that the rights and reputation and conduct of Members individually in their representative capacity is seriously impaired if they cannot succeed in being able to make an argument to the floor Members assembled as to whether or not Mr. Chirac should be able to appear.

I do believe it is well within the boundaries, because those Members cannot vote on this floor. Their representative capacity is solely on the basis of being able to persuade us on behalf of the peoples of the Pacific that there are matters which require our attention. This privileged resolution is directed exactly at that issue. Questions about radioactivity, and so forth, would be discussed under that privileged resolution as to why an affirmative vote is sought.

So, Mr. Speaker, I most sincerely request your favorable ruling with respect to the question of privilege, and ask that it be allowed to be voted on, because this is the only way that the peoples of the Pacific, through their representatives, particularly from Guam and American Samoa, who do not have the right to vote on this floor, will be able to make a representation that they are otherwise obligated and required to do so by virtue of their presence here on the floor.

It is clear, it seems to me, given the massive implications of radioactive

leakage in the Pacific with the numerous explosions that have taken place in these tests, that other than through this representation through the privileged motion, the desirability or undesirability of having Mr. Chirac speak will not be able to be adequately addressed, and it seems to me a very powerful argument can be made for that, should we be allowed to proceed.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Chair is prepared to rule on whether the resolution of the gentlewoman from Hawaii [Mrs. MINK] presents a question of privilege under rule IX.

The Speaker has been authorized to declare a recess by order of the House to accommodate the joint meeting with the Senate in order to receive President Chirac. This standing order was established by unanimous consent on Friday, January 26, 1996. No objection was heard, and the Speaker was authorized to declare a recess to receive President Chirac.

If there had been objection by any Member to the appearance of President Chirac before a joint meeting of Congress, a resolution reported from the Committee on Rules and adopted by the House might have been required to establish the order for the joint meeting. As is customary for all joint meetings to receive foreign dignitaries and heads of state, the letter of invitation to President Chirac was not transmitted until both Houses had agreed to receive the invitee.

Procedures exist within the rules of the House to permit the House to vote on the authorization of joint meetings where objection is made to that arrangement. The Chair does not believe it proper to collaterally challenge such standing order of the House under the guise of a question of privilege.

As recorded on page 362 of the House Rules and Manual, on February 3, 1993, Speaker Foley ruled that a question of privilege could not be used to collaterally challenge the validity or fairness of an adopted rule of the House by delaying its implementation. In addition, as recorded on page 361 in the House Rules and Manual, a question of the privileges of the House may not be invoked to effect a change in the Rules of the House.

The gentlewoman's resolution would, in effect, constitute a new rule of the House restricting the issuance of invitations to future joint meetings, and, therefore, does not constitute a question of the privileges of the House.

Also, no question of personal privilege of individual Members under rule IX is involved at this time.

PARLIAMENTARY INQUIRY

Mr. ABERCROMBIE. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ABERCROMBIE. Mr. Speaker, I hope I understood the Chair correctly. Did you indicate as part of your ruling that an objection would have had to have been made on January 26 of this year?

The SPEAKER pro tempore. An objection could have been made at that time to the unanimous-consent request.

Mr. ABERCROMBIE. Mr. Speaker, was the House in session? Were Members expected to be assembled or be able to be called to the House at that date? My recollection is we were in recess.

The SPEAKER pro tempore. As is customary, it was done at a time that had been requested for the program to be announced for the next week. When the program was announced for the next week, that was when the unanimous-consent request was made.

Mr. ABERCROMBIE. Mr. Speaker, further parliamentary inquiry. I maybe did not understand correctly. Did the Chair say in reply to my question that the House was in session on January 26 and that this proposition was presented to the Members for their assent?

The SPEAKER pro tempore. The gentleman is correct.

Mrs. MINK of Hawaii. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

Ms. PRYCE. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio [Ms. PRYCE] to lay on the table the appeal of the ruling of the Chair.

The motion to lay on the table the appeal of the ruling of the Chair was agreed to.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. ABERCROMBIE. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ABERCROMBIE. Mr. Speaker, my distinct recollection is we were not in session on January 26. I just want to make sure for the record. Were the Members in fact here assembled on January 26? If they were not, I do not wish to get into a dispute with you, Mr. Speaker, but whether or not we could have made an objection or should have made objection I think does rest at least upon the practical possibility that we would have been in attendance here to be able to do that, if that in fact is the basis upon which the initial premise of your ruling was made. I am in no position to state for a fact whether we were here or not, because I am making the inquiry.

The SPEAKER pro tempore. The Chair would remind the gentleman that the House was in session on Friday, but the schedule was laid out on Thursday by the majority leader. The request was made on Friday along with other requests.

Mr. ABERCROMBIE. Mr. Speaker, was it a pro forma session?

The SPEAKER pro tempore. The gentleman is correct.

Mr. ABERCROMBIE. Mr. Speaker, further parliamentary inquiry then. Again, I hold the Speaker in the highest respect in this regard, but my information is that if it is a pro forma session, I receive a piece of paper which says that no business is to be conducted. If no business is to be conducted, I hardly think it is fair for the Chair to then state that I should be or any other Member should be expected to make objection, if that is our intent with respect to this particular issue. If I receive information that no business is to be conducted, I do not see how I could come to the floor then demanding that business be conducted.

The SPEAKER pro tempore. It has been customary in the past for these sorts of requests to be made and these unanimous consent requests are done even on days when there are pro forma sessions. It has been customary in the past that those requests generally are taken up when the schedule is announced, generally in a colloquy with the minority leader or his designee and the majority leader, which was done on Thursday. These are things that have happened in the past on pro forma days.

Mr. ABERCROMBIE. Mr. Speaker, further parliamentary inquiry. Then it is also in order under the rules to bring a privileged resolution to the floor. Now, if we were not in session, even if I take your word for it, and I will for purposes of our discussion, I would hope you would grant me my good intentions as well. If I could have or someone else could have come to this floor and made such a representation as you indicate, I will accept that.

However, the rules also allow us to bring a privileged resolution to the floor at any time with the proper notice and to have it considered. One of the reasons or the principal reason that the Chair stated for turning down this privileged resolution offered by the gentlewoman from Hawaii [Mrs. MINK] is that it was not presented on January 26. From what the Chair just told me, it does not matter that it was not presented on January 26. It could have been presented on January 26, but it was not imperative that it be presented on January 26. So if that is the only reason, why can it not be presented today?

The SPEAKER pro tempore. The Chair regrets that the request was made on January 26, custom has done that in the past. This has been done, as has been customary in the House for many years.

Mr. ABERCROMBIE. Mr. Speaker, because it is customary does not mean it is within the rules. I made a parliamentary inquiry based upon the rules. It may have been customary, it may have been desirable, but it is not against the rules to present the privileged resolution today. You have not offered a reason then. Simply because it was customary does not mean it is against the rules. There is nothing substantive that you have offered that

prevents this privileged resolution from being before us. I believe I am correct.

Mr. SOLOMON. Mr. Speaker, we are going to have to pursue regular order.

Mr. ABERCROMBIE. With all due respect, Mr. SOLOMON, I am doing my level best to maintain regular order.

The SPEAKER pro tempore. The gentleman will suspend. At this point, it is not in order to collaterally challenge the unanimous consent order that has been entered the previous week, even though it was done on a pro forma day. Again, that was because of custom.

Mr. ABERCROMBIE. Our only recourse is to appeal?

The SPEAKER pro tempore. That has been done. The appeal has been laid on the table.

Mr. ABERCROMBIE. I thank the Speaker very much for replying to me. I find this line of response very, very unfortunate in terms of what the House should be about in terms of its business.

Ms. SLAUGHTER. Mr. Speaker, I rise today to join with my colleagues who have already expressed their concern and distress about France's nuclear testing, and President Chirac's visit to the United States.

With the end of the cold war and the recent ratification of START II, we have high hopes and have made great steps forward in stopping the proliferation of nuclear weapons. And, just when we were making real progress toward a permanent moratorium on nuclear testing, France embarked on a series of nuclear tests in the South Pacific. These tests not only damage the strides we are making to stop nuclear testing, but they have once again endangered the health and safety of Pacific islanders.

As the threat of nuclear proliferation continues, it does not make sense for the leaders of the world to engage in such reckless activities. The free world must lead by example. The example set by France is deplorable, and the United States should not directly, or indirectly, condone such actions.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed on Tuesday, January 30, 1996, in the order in which the motion was entertained.

Votes will be taken in the following order:

House Resolution 349, de novo; and
H.R. 2036, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT OF 1995

The SPEAKER pro tempore. The unfinished business is on the question de novo of suspending the rules and agreeing to the resolution, House Resolution 349.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia [Mr. BILLEY], that the House suspend the rules and agree to the resolution, House Resolution 349.

The question was taken.

Mr. BOUCHER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 150, nays 271, not voting 12, as follows:

[Roll No. 20]

YEAS—150

Abercrombie	Gilman	Myrick
Ackerman	Goodling	Nethercutt
Andrews	Goss	Norwood
Baker (LA)	Gunderson	Oberstar
Baldacci	Gutknecht	Oxley
Ballenger	Hansen	Packard
Bevill	Hastings (FL)	Pallone
Bilbray	Hayes	Pastor
Bilirakis	Herger	Paxon
Bliley	Hobson	Payne (NJ)
Boehrlert	Hoekstra	Peterson (FL)
Bono	Houghton	Peterson (MN)
Brewster	Hunter	Quinn
Browder	Hyde	Ramstad
Bunn	Jacobs	Rangel
Calvert	Johnson (CT)	Reed
Canady	Johnston	Riggs
Cardin	Kelly	Rogers
Chambliss	Kennedy (RI)	Ros-Lehtinen
Clement	Kennelly	Roukema
Coble	Kim	Sabo
Collins (GA)	King	Sawyer
Cramer	Kleczka	Saxton
Cunningham	Klug	Schaefer
Davis	Lazio	Schumer
Deal	Lewis (KY)	Shaw
DeFazio	Lightfoot	Shays
DeLauro	Linder	Smith (MI)
Deutsch	Lipinski	Smith (NJ)
Diaz-Balart	Livingston	Solomon
Doolittle	LoBiondo	Stearns
Dunn	Longley	Tauzin
Edwards	Lowe	Taylor (NC)
Ehlers	Luther	Thomas
Engel	Manton	Thurman
Fields (TX)	Martini	Torricelli
Foley	McCarthy	Upton
Forbes	McCollum	Vento
Fowler	McCrery	Waldholtz
Fox	McDade	Walker
Franks (CT)	McHugh	Walsh
Franks (NJ)	McKeon	Weldon (FL)
Frelinghuysen	McNulty	Weldon (PA)
Frisa	Menendez	White
Furse	Metcalf	Whitfield
Galleghy	Mica	Wilson
Ganske	Miller (FL)	Wolf
Gejdenson	Minge	Wynn
Gilchrest	Molinari	Young (AK)
Gillmor	Moran	Zimmer

NAYS—271

Allard	Bereuter	Buyer
Archer	Berman	Callahan
Armey	Bishop	Camp
Bachus	Blute	Campbell
Baessler	Boehner	Castle
Baker (CA)	Bonilla	Chabot
Barcia	Bonior	Chenoweth
Barr	Borski	Christensen
Barrett (NE)	Boucher	Chrysler
Barrett (WI)	Brown (CA)	Clay
Bartlett	Brown (FL)	Clayton
Barton	Brown (OH)	Clinger
Bass	Brownback	Clyburn
Bateman	Bryant (TN)	Coburn
Becerra	Bunning	Coleman
Beilenson	Burr	Collins (IL)
Bentsen	Burton	Collins (MI)